

THIRTEENTH DAY

(Wednesday, February 5, 1969)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by Senator Creighton.

The roll was called and the following Senators were present:

Aikin	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Hall	Strong
Harrington	Watson
Harris	Wilson
Herring	Word

Absent—Excused

Bates	Hazlewood
Grover	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Bates was granted leave of absence for today on account of a death in the family on motion of Senator Ratliff.

Senator Grover was granted leave of absence for today on account of important business on motion of Senator Hightower.

Senator Hazlewood was granted leave of absence for today on account of important business on motion of Senator Mauzy.

Senate Resolution 91

The Presiding Officer laid before the Senate the following resolution:

Whereas, We are honored today to have with us The Warrant Officer

Candidate Winged Soldiers' Chorus; and

Whereas, The Chorus was organized in September of 1966 at the United States Army Primary Helicopter School Center at Fort Wolters in Mineral Wells, Texas, and

Whereas, The Chorus has been so enthusiastically received and successful that it has become a permanent extracurricular activity for the candidates, and

Whereas, It has been given the mission of promoting good will and understanding between Fort Wolters, the surrounding communities, and the State of Texas, and

Whereas, The Chorus competed in and won for the third consecutive year, the United States Army choral contest in 1968 and have performed at meetings of such distinguished groups as the National USO Convention in Dallas, Texas; the American Legion Convention in Austin, Texas; numerous Armed Forces Day Parades in the State, and before the Texas Senate during the 1968 Special Session, and

Whereas, We are honored to have their directors, Chief Warrant Officer Roger Alons, who recently returned from service in Vietnam and who was one of the original founders of the group, and Major Wayne E. Coulter, Executive Officer, 2nd Student Battalion, Troop Brigade, with us today, now therefore, be it

Resolved, That the Senate of Texas hereby request the honor of a repeat performance by the Chorus today in the Senate, and be it further

Resolved, That a copy of this Resolution be forwarded to the Warrant Officer Candidate Winged Soldiers' Chorus at Fort Wolters, Texas, as an expression to all members of the Chorus and their directors, of the sincere gratitude of the Senate for their appearance today and as a token of the esteem with which they are held by the Senate and of all Texas.

CREIGHTON

The resolution was read and was adopted.

The Presiding Officer gave some of the history of the Helicopter School at Camp Wolters and then presented the members of the Warrant Officers Candidate Chorus and their director to the Members of the Senate.

The Chorus rendered several musical selections for the pleasure of the Senate.

The Presiding Officer, on behalf of the President of the Senate, expressed appreciation to the members of the Chorus first for service to their country and second for their presence here today and requested them to come back in the near future.

At Ease

The Presiding Officer announced at 10:55 o'clock a.m. that the Senate would stand At Ease Subject to the Call of the Chair.

In Legislative Session

The Presiding Officer (Senator Creighton in the Chair) called the Senate to order as In Legislative Session at 11:01 o'clock a.m. today.

Message From the House

Hall of the House of Representatives
Austin, Texas,
February 5, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 13, In memory of Frank Russ.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Bills and Resolutions on First Reading

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

By Senator Cole:

S. B. No. 119, A bill to be entitled "An Act amending Article 2338-1, Sections 5(a) and 6, Revised Civil Statutes of Texas, 1925, as amended, providing for the trial, as an adult, of any juvenile 15 years of age or older at the time of the commission of any felony with which he is charged; providing for the procedure by which the jurisdiction of the district court attaches; providing that if the grand jury does not return an indictment, the jurisdiction of the juvenile court reattaches; providing the procedure by which the jurisdiction

of the juvenile court reattaches; providing for his custody pending action by the grand jury; providing that if the child is proceeded against as a juvenile, he is not subject to prosecution as an adult; and declaring an emergency."

To the Committee on Youth Affairs.

By Senators Brooks, Jordan, Cole, McKool, Bernal, Mauzy, Harrington and Harris:

S. B. No. 120, A bill to be entitled "An Act amending Subdivision 14, Section 37, Texas Election Code, as amended (Subdivision 14, Article 5.05, Vernon's Texas Election Code), relating to branch offices for absentee voting by personal appearance; and declaring an emergency."

To the Committee on Privileges and Elections.

By Senators Bernal, Bates, Brooks, Jordan, Mauzy, Harrington, Bridges, Kennard, Wilson, McKool, Christie, Schwartz, Berry and Cole:

S. B. No. 121, A bill to be entitled "An Act relating to the establishment and operation of a minimum wage; providing a penalty; and declaring an emergency."

To the Committee on Labor and Management Relations.

By Senators Christie and Mauzy:

S. J. R. No. 10, Proposing an amendment to Section 20, Article XVI, Constitution of the State of Texas, to provide that the Legislature shall have the power to enact a Mixed Beverage Law regulating the sale of mixed alcoholic beverages on a local option election basis.

To the Committee on Constitutional Amendments.

By Senators Aikin and Connally:

S. J. R. No. 11, Proposing an amendment to Section 5, Article III, Constitution of the State of Texas, as amended, to provide for annual legislative sessions.

To the Committee on Constitutional Amendments.

House Concurrent Resolution 13 on Second Reading

The Presiding Officer laid before Senate the following resolution:

H. C. R. No. 13—Memorial resolution for Frank Russ.

The resolution was read.

On motion of Senator Patman, and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote.

Senate Concurrent Resolution 14

Senator Moore offered the following resolution:

S. C. R. No. 14, Congratulating Miss Patti Yezak on winning the title of Outstanding Catholic Youth of the United States for 1968.

Whereas, Miss Patti Yezak of Bremond, Texas, has been named Outstanding Catholic Youth of the United States for 1968; and

Whereas, Miss Yezak's first step toward earning this national recognition came when the Bremond Parish CYO club voted her the Outstanding Youth of the Parish; and

Whereas, She was next selected by a panel of moderators and advisors over ten competing parish winners for Outstanding Youth of the Cameron District CYO; and

Whereas, A similar panel of judges reviewed the character, records and accomplishments of the outstanding youths of the five districts in the Diocese of Austin and on Christmas day Miss Yezak received notice that she was one of the five finalists; and

Whereas, Two weeks later she was informed by the National CYO office that she had been chosen for CYO's highest honor; and

Whereas, Miss Yezak was Valedictorian of the 1968 Senior Class of Bremond High School and her classmates voted her the girl most likely to succeed; and

Whereas, She received a scholarship to the University of Dallas, where she is an English major; and

Whereas, The recognition Miss Yezak received in this national contest is an expression of her Christian convictions in relation to the people in her community; and

Whereas, She is the daughter of Mr. and Mrs. Herman Yezak of Bremond, Texas; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That congratulations be extended to Miss Yezak on winning the honor and title of Outstanding Catholic Youth of the United States for 1968; and be it further

Resolved, That a copy of this Resolution be sent to Miss Yezak.

The resolution was read.

On motion of Senator Moore, and by unanimous consent, the resolution was considered immediately and was adopted.

Senate Bill 20 on Second Reading

Senator Watson moved that Senate Rules 110, 13, and 36 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 20 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yea—28

Aikin	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Hall	Strong
Harrington	Watson
Harris	Wilson
Herring	Word

Absent—Excused

Bates	Hazlewood
Grover	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 20, A bill to be entitled "An Act providing that the State of Texas, any department, board, agency or instrumentality of the State of Texas, any municipal corporation, any political subdivision, any district and any body politic and corporate of the State of Texas which is now or may hereafter be authorized by law to issue and sell bonds, notes, or other obligations payable from taxes, or revenues, or both, may issue and sell such bonds, notes, or other obligations at any price or prices and bearing interest at any rate or rates, provided that the net effective interest rate, as herein defined, shall not exceed six and one-half per cent per annum; making certain qualifications and exceptions; enacting other provisions related to

the subject; and declaring an emergency."

The bill was read second time.

Senator Watson offered the following Committee Amendment to the bill:

Amend S. B. No. 20 by amending Section 3 to read as follows:

"Sec. 3. The provisions of this Act concerning sale price and the maximum rates of interest which public securities may bear shall apply to all public securities notwithstanding the provisions or restrictions of any general or special law or charter to the contrary, but shall not apply to any public securities whose maximum rate of interest or maximum net effective interest rate is otherwise fixed by the Constitution, so long as such rate of interest or maximum net effective interest rate is fixed by the Constitution, or apply to or be a restriction on public securities whose maximum rate of interest or net effective interest rate is not fixed by law, or apply to or be a restriction on any public securities whose maximum rate of interest or net effective interest rate is otherwise authorized by law to exceed six and one half per cent per annum."

The Committee Amendment was read.

(President in the Chair.)

The Committee Amendment was adopted.

On motion of Senator Watson, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 20 on Third Reading

Senator Watson moved that Senate Rule 30 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 20 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Brooks
Bernal	Christie
Berry	Cole
Blanchard	Connally
Bridges	Creighton

Hall	Moore
Harrington	Patman
Harris	Ratliff
Herring	Schwartz
Hightower	Snelson
Jordan	Strong
Kennard	Watson
Mauzy	Wilson
McKool	Word

Absent—Excused

Bates	Hazlewood
Grover	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Hightower
Bernal	Jordan
Berry	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Hall	Strong
Harrington	Watson
Harris	Wilson
Herring	Word

Absent—Excused

Bates	Hazlewood
Grover	

Message From the House

Hall of the House of Representatives

Austin, Texas,

February 5, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 13, Expression of appreciation and congratulations to Coach McDonald and Coach Davis and the Eagles of St. Thomas High School, Houston, Texas.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Memorial Resolution

S. R. No. 97—By Senator Watson:

Memorial resolution for James Joseph Patrick McShane.

Welcome and Congratulatory Resolutions

S. R. No. 92—By Senator Christie: Commending Don Maynard for his excellence in football.

S. R. No. 93—By Senator Watson: Extending welcome to Zack Belcher, et al.

S. R. No. 94—By Senator Watson: Extending welcome and privileges of the floor for the day to Mr. and Mrs. Mike Hering and Missy.

S. R. No. 95—By Senator Herring: Extending welcome to Members of American Association of University Women.

S. R. No. 96—By Senator Snelson: Extending congratulations to football team of Sonora High School on winning Class A Schoolboy Football Championship.

S. R. No. 98—By Senator Word: Extending welcome to teacher and students of Senior Class of Abbott High School.

S. R. No. 99—By Senator Harrington: Extending welcome to Will E. Wilson, et al.

S. R. No. 100—By Senator Herring: Extending welcome to teacher and students of Sixth Grade of Brentwood Elementary School of Austin.

Adjournment

On motion of Senator Aikin the Senate at 11:15 o'clock a.m. adjourned until 11:00 o'clock a.m. tomorrow.

FOURTEENTH DAY

(Thursday, February 6, 1969)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Brooks
Bates	Christie
Bernal	Cole
Berry	Connally
Bridges	Creighton

Grover	Moore
Hall	Patman
Harrington	Schwartz
Harris	Ratliff
Herring	Snelson
Hightower	Strong
Jordan	Watson
Kennard	Wilson
Mauzy	Word
McKool	

Absent—Excused

Blanchard	Hazlewood
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A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Hazlewood was granted leave of absence for today on account of important business on motion of Senator Creighton.

Senator Blanchard was granted leave of absence for today on account of important business on motion of Senator Patman.

Senate Bills and Resolution on First Reading

The following bills and resolution were introduced, read first time and referred to the Committee indicated:

By Senators Hightower and Aikin:

S. B. No. 122, A bill to be entitled "An Act relating to the establishment, operation, and financing of a State library system consisting of a network of interrelated cooperating library systems designed to provide adequate library facilities and services to the public, and declaring an emergency."

To the Committee on State Affairs.

By Senator Strong:

S. B. No. 123, A bill to be entitled "An Act providing for valuation of property for taxing purposes for all taxing authorities by the county tax assessor-collector; providing for a common board of equalization composed of all assessors in the county by amending Article 7206, Revised Civil